

**Amendment and Response Under 37 C.F.R. 1.116**

Applicant: Leo W. Spychalla

Serial No.: 10/725,259

Filed: December 1, 2003

Docket No.: 10413US01/I201.191.101

Title: DATA STORAGE CARTRIDGE WITH HARD DRIVE AND ALIGNMENT FEATURE

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**REMARKS**

The following remarks are made in response to the Final Office Action mailed October 13, 2006. In that Office Action, the Examiner rejected claims 1-4, 8, 10-11, 13-14, and 21 under 35 U.S.C. §102(b) and claims 5-7, 9, 12, 17, 18, 22-24 under 35 U.S.C. §103(a). Claims 15 and 16 were objected to as being dependent upon a rejected base claim.

With this Response, claims 1-14 and 17-24 have been canceled, claim 15 has been amended, and new claims 25-28 have been added. Claims 15, 16, and 25-28 are currently pending in the application and are presented for reconsideration and allowance.

**Amendments to Accept Allowable Subject Matter**

Applicant acknowledges, with appreciation, the indication in the October 13, 2006 Office Action that claims 15 and 16 contain allowable subject matter. In particular, the Office Action stated that if claims 15 and 16 were rewritten in independent form to include all of the features of the base claim and any intervening claims, then claims 15 and 16 would be allowable.

Accordingly, this Amendment places the application in condition for allowance by amending claim 15 to include the features of base claim 13 and intervening claim 14 and by canceling rejected claims 1-14 and 17-24. Claim 16 depends from currently amended claim 15, which as described above is believed to be allowable. Therefore, claim 16 is also believed to be allowable and notice to that effect is respectfully requested.

New claims 25-28 each ultimately depend from allowable, now independent, claim 15. Accordingly, new dependent claims 25-28 are also believed to be allowable, and notice to that effect is respectfully requested.

**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 15, 16, and 25-28 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of the pending claims is respectfully requested.

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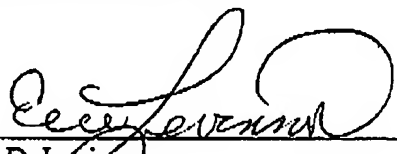
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No fees are believed to be required under 37 C.F.R. 1.16(b)(c). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 090069.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Respectfully submitted,

Date: 12/13/06  
EDL:JMS:hsf

  
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